

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

---

PENNSYLVANIA EMPLOYEES BENEFIT TRUST  
FUND, on behalf of itself and all others similarly  
situated,

Plaintiff,

vs.

ZENECA, INC.; and ASTRAZENECA  
PHARMACEUTICALS, L.P.,

Defendants.

---

LINDA A. WATTERS, Commissioner, Offices of  
Financial and Insurance Services for the State of  
Michigan in her capacity as Rehabilitator of The  
Wellness Plan and in her capacity as Liquidator of  
Michigan Health Maintenance Organization Plans, Inc.,  
formerly known as OmniCare Health Plan, Inc.,  
individually and on behalf of all others similarly situated

Plaintiff,

vs.

ASTRAZENECA PHARMACEUTICALS, LP, and  
ZENECA, INC.,

Defendants.

---

JOSEPH MACKEN, on behalf of himself and all others  
similarly situated,

Plaintiff,

vs.

ASTRAZENECA PHARMACEUTICALS LP; AND  
ZENECA, INC.,

Defendants.

---

Civil Action No. 1:05-cv-75 (SLR)

Civil Action No. 1:05-cv-196 (SLR)

Civil Action No. 1:05-cv-220 (SLR)

**PLAINTIFFS' MOTION FOR THE ENTRY OF A PRETRIAL ORDER**

Come now Plaintiffs Pennsylvania Employees Benefit Trust Fund, Linda A. Watters, and Joseph Macken, who move this Honorable Court for the entry of an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1 for the reasons set forth in the Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1 filed simultaneously herewith.

Pursuant to Local Rule 7.1.1, Plaintiffs have attempted to reach an agreement with Defendants regarding Plaintiffs' motion for an entry of an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1.

Plaintiffs provided a draft of the Proposed Pretrial Order No. 1 to Defendants on April 8, 2005. Plaintiffs then had several telephonic conferences with Defendants. Thereafter, Plaintiffs provided a revised draft on Wednesday, April 20, 2005. Plaintiffs explained that Defendants should submit their proposed edits to the draft by close of business on Thursday, April 21, 2005 because Plaintiffs would be seeking entry of Proposed Pretrial Order No. 1 on Friday, April 22, 2005. Defendants did not provide their comments in a timely manner. Notwithstanding their lack of timely written comments, Defendants have consented to the following relief provided in Proposed Pretrial Order No. 1: (1) consolidation of the above-captioned cases; (2) suspension of the briefing schedule of the Pennsylvania Employees Benefit Trust Fund Case; and (3) leave for Proposed Interim Co-Lead Counsel to file a Consolidated Class Action Complaint on or before May 27, 2005.

**WHEREFORE**, Plaintiffs respectfully request that the Court enter an order in the form of Exhibit 1 to Plaintiffs' Joint Brief in Support of Entry of Proposed Pretrial Order No. 1.

Barbara Hart  
Christopher McDonald  
GOODKIND LABATON RUDOFF  
& SUCHAROW  
100 Park Avenue  
New York, New York 10017  
***Proposed Interim Co-Lead Counsel***


Steve W. Berman  
HAGENS BERMAN SOBOL  
SHAPIRO LLP  
1301 Fifth Avenue, Suite 2900  
Seattle WA 98101

-and-

Thomas M. Sobol  
HAGENS BERMAN SOBOL  
SHAPIRO LLP  
One Main Street, 4<sup>th</sup> Floor  
Cambridge, MA 02142  
***Proposed Interim Co-Lead Counsel***

***Of Counsel:***

Ronald S. Goldser  
ZIMMERMAN REED, PLLP  
651 Nicollet Mall, Suite 501  
Minneapolis, MN 55402  
(612) 341-0400

  
Pamela S. Tikellis (D.S.B.A. No. 2172)  
Robert J. Kriner, Jr. (D.S.B.A. No. 2546)  
A. Zachary Naylor (D.S.B.A. No. 4439)  
Robert R. Davis (D.S.B.A. No. 4536)  
CHIMICLES & TIKELLIS LLP  
One Rodney Square  
P.O. Box 1035  
Wilmington, Delaware 19899  
***Proposed Interim Liaison Counsel***

Jeffrey L. Kodroff  
Theodore M. Lieverman  
SPECTOR, ROSEMAN & KODROFF, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, Pennsylvania 19103  
***Proposed Interim Co-Lead Counsel***

Jason J. Thompson  
CHARFOOS & CHRISTENSEN, P.C.  
5510 Woodward Avenue  
Detroit, MI 48202

James R. Malone, Jr.  
Michael D. Gottsch  
Daniel B. Scott  
Timothy N. Mathews  
CHIMICLES & TIKELLIS LLP  
361 West Lancaster Avenue  
Haverford, PA 19041

Ellen Meriwether  
Bryan L. Clobes  
MILLER FAUCHER and CAFFERTY  
LLP  
One Logan Square  
18th & Cherry Streets, Suite 1700  
Philadelphia, Pennsylvania 19103

L. Kendall Satterfield  
Richard M. Volin  
FINKELSTEIN, THOMPSON &  
LOUGHRAN  
1050 30th Street, N.W.  
Washington, D.C. 20007

Robert S. Schachter  
Joseph Lipofsky  
Paul Kleidman  
ZWERLING, SCHACHTER  
& ZWERLING, LLP  
41 Madison Avenue  
32nd Floor  
New York, NY 10010

Jeffrey S. Goddess  
ROSENTHAL MONHAIT GROSS &  
GODDESS, P.A.  
919 Market Street, Suite 1401  
Wilmington, DE 19801

Richard Kirschner  
KIRSCHNER & GARTRELL  
4910 Massachusetts Ave., NW  
Suite 215  
Washington, D.C. 20016